

REMARKS

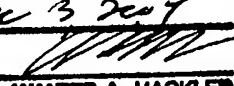
The present amendment is made to cancel duplicate claims appearing in parent U.S. Patent Application Serial No. 09/918,749 now U.S. 6,579,255 and U.S. Patent Serial No. 10/414,950. No new matter has been added.

Respectfully submitted,

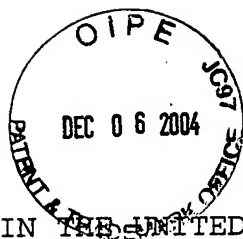


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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
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Dec 3 2004
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(DATE SIGNED) 
WALTER A. HACKLER
REG. NO. 27, 792

3112



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth E. Kadziauskas, et al.) Examiner
Serial No.: Unknown) Unknown
Filed: Herewith) Group Art
For: PRESSURIZED FLOW OF FLUID INTO) Unknown
AN EYE USING PUMP AND PRESSURE)
MEASUREMENT SYSTEM)

October 2003

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Arlington, Virginia 22313-1450

Dear Sir:

Please amend the hereinabove reference and accompanying patent application as follows before calculation of filing fees and examination.

3112

IN THE TITLE

Please replace the title with the following title:

METHOD FOR CONTROLLING FLUID FLOW TO AND FROM AN EYE
DURING OPHTHALMIC SURGERY

IN THE SPECIFICATION

On page 1, line 3, please insert as a paragraph:

The present application is a division of U.S. Serial No. 10/414,950 filed April 15, 2003, now pending, which is a division of U.S. Serial No. 09/918,749 filed July 31, 2001, now U.S. 6,579,255.

IN THE CLAIMS

Please amend the claims in the present application as follows:

1. (Cancelled)
2. (Original) A method for controlling fluid flow to and from an eye during ophthalmic surgery, said method composing the steps of:
 - introducing irrigation fluid into an eye;
 - determining initial irrigation fluid pressure;
 - adjusting aspiration fluid flow based on the determined initial irrigation fluid pressure;
 - continuously determining irrigation fluid pressure after the initial determination; and
 - continuously adjusting aspiration fluid flow based on the continuous determination of irrigation fluid pressure.
3. (Cancelled)
4. (Cancelled)
5. (Currently Amended) The method according to ~~any one of claims 1, claim 2 or 3~~ where the step of initially determining irrigation fluid pressure and continuously measuring irrigation fluid pressure includes determining in-line irrigation pressure.
6. (Original) The method according to claim 2 wherein the step of adjusting aspiration fluid flow includes setting a maximum aspiration vacuum pressure as a function of determined irrigation fluid pressure.

3112

7. (Original) The method according to claim 6 wherein the function is linear.

Claims 8-22 cancelled

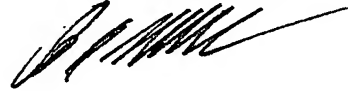
23. (New) The method according to claim 2 further comprising the step of using a change in irrigation fluid pressure to provide an indication of wound leaking.

3112

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Respectfully submitted,



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RECEIVED IN THE US PATENT & TRADEMARK OFFICE

Applicant: Kenneth E. Kadziauskas, et al.
Serial No.: Unknown
Filed: 17497 U.S. PTO Serewith
For: 10/692826 METHOD FOR CONTROLLING FLUID FLOW TO
AND FROM AN EYE DURING OPHTHALMIC
SURGERY

File#:  102403 3112

RE: NEW U.S. DIVISIONAL PATENT APPLICATION

Enclosures: Utility Patent Application Transmittal (Large
Entity); Preliminary Amendment; Declaration and Power of
Attorney; ~~15 pages (15)~~ Pages of specification, claims and
abstract; two (2) sheets of formal drawings; Check no.
16667 for \$770; Postcard

Mailed: Friday, October 24, 2003

EV108189296US